

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

ANGELINA J. STWALLEY,

Civil No. C05-5803-FDB

Plaintiff,

vs.

ORDER OF REMAND

JO ANNE B. BARNHART,  
Commissioner of Social Security,

Defendant

Based on the stipulation of the parties, it is ORDERED that the Commissioner's decision in regard to Plaintiff's applications for disability insurance benefits and Supplemental Security Income disability benefits under Title II and Title XVI of the Social Security Act be REVERSED and REMANDED to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the administrative law judge (ALJ) shall:

- 1 • Reevaluate the effect of drug addiction to determine Plaintiff's period of sobriety
- 2 sufficient to address the effects of her mental impairments absent substance abuse.
- 3 • Obtain additional evidence from treating sources to clarify the severity of Plaintiff's
- 4 mental impairments with and without substance abuse, and reevaluate the mental
- 5 impairments pursuant to 20 C.F.R. § 404.1520a;
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- 7 • reassess the claimant's RFC and provide appropriate limitations for all severe
- 8 impairments;
- 9 • Discuss all lay witness testimony, specifically from counselor Klinzman, and either
- 10 accept it or provide germane reasons for rejecting it; and
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- 12 • Obtain medical and vocational expert testimony at the hearing.
- 13 • The case will be assigned to a new ALJ.

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26 Upon proper presentation, this Court will consider Plaintiff's application for costs and

1 attorney's fees under 28 U.S.C. § 2412(d).

2 DATED this 9<sup>th</sup> day of May 2006.

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8 FRANKLIN D. BURGESS

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10 UNITED STATES DISTRICT JUDGE

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12 Recommended for entry by  
13 Karen L. Strombom, United States Magistrate Judge

14 Presented by:

15 s/ Leisa A. Wolf

16 LEISA A. WOLF

17 Special Assistant U.S. Attorney

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